

Indeed, even if the Group II were classifiable in this class/subclass, the Examiner fails to point to any reason why Group I would not also be classifiable in this class/subclass.

In addition, examining the claims of Group II together with the claims of Group I would not be a serious burden. For example, Group II only includes claims 38-45, a total of eight additional claims. There is no serious burden placed on the Examiner to consider these eight claims together with claims 1-36. Moreover, the Examiner has already examined claims 1-36, which have been classified in Group I. Also, claims 1-36 recite subject matter similar to that recited in claims 38-45. For example, as noted above, both groups of claims are classifiable in class 709, subclass 226.

In view of the foregoing, Applicant respectfully submits that the premise for the restriction is improper because it based on a mischaracterization of the claims. In addition, even if the characterization of the claims as being "subcombinations" is assumed to be proper, there would not be a serious burden placed on the Examiner to consider the additional eight claims of Group II with claims 1-36 of Group I, which have already been examined.

Accordingly, for at least the above reasons, the restriction requirement should be withdrawn and all of the pending claims should be examined.

Please grant any extensions of time required to enter this response and charge  
any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: June 20, 2011

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